

**Corporate Sovereign Awakening and the Making of Modern State Sovereignty: New
Archival Evidence from the English East India Company**

Swati Srivastava

Online Appendix

- A. Data
- B. Analysis
- C. Additional Context on Hastings' Impeachment

A. Data

The research is largely based on original primary source material collected from the British Library in London between 2015 and 2016. The EIC had no singular chief executive. Instead, its 24 directors, elected by the shareholders, appointed a chairman and deputy-chairman amongst themselves. The directors met thrice a week and performed the routines of running an organization. In addition, the Company's shareholders held quarterly and special session meetings. The primary data source is all the 16,740 managerial and shareholder meetings between 1678 and 1795. The minutes are maintained in the India Office Records (IOR) B-series. The corresponding records for the selected time period are IOR-B.35 to IOR-B.120.

A typical meeting minute features a list of who was present, updates on previous correspondence, resolutions, motions, amendments, votes, and payments. Often, minutes would also feature extracts from letters and budgets as well as draft petitions. Depending on the business at hand, minutes vary in length from 3 pages to 30 pages. A typical fiscal year would be contained in one large bound book, although some years, like 1773, spread across multiple books. The minutes are available to researchers at the British Library's reading room. No special permissions were necessary to access or photograph most of the records with the exception of select parliamentary records and maps. Image A1 provides an idea of the material nature of the record books. Image A2 presents a scan of a page from September 1772.

A1. Outside cover and binding of directors' meeting minutes, IOR-B.88 [the engraved number does not match the record number].



182

23. September 1772.

of declaring the half yearly Dividend which will become due at Christmas next, that a Treaty having been commenced with Administration on the present Situation of the Company's Affairs, therefore until that Treaty is determined, the Court of Directors cannot recommend it to the General Court to come to any Resolution relative to such Dividend

The Court entering into a Debate thereon
And the Minutes of the General Court held the 30. October last being called for

The same were read

And it was thereupon moved

That a Committee, consisting of Nine Proprietors, possessed respectively of £300. or upwards of the Capital Stock of this Company, to be chosen by Ballot, to examine the Grounds on which the Court of Directors have recommended the several Dividends declared and made by this Company for the last three Years, and likewise to examine the present State of the Company's Affairs, And to report the same together with their Opinion thereon to the General Court.

And the Court having very maturely deliberated on the State of the Company's Affairs

An Estimate of Cash which probably may be received and paid between the 15. September 1772 and the 1. March 1773 including the Simple Contract Debts bearing Interest, except the old Bullion Debt of £200,000. due to the Bank of England, and carrying on an account of Payments to be made to the end of the said Month of March being read.

It was at length moved that the previous Question on the said Motion be put

And the previous Question being on a further debate accordingly put

It was

More generally, these materials were only recently allowed to be photographed in the British Library. I took digital scans of the data through the CamScanner application on an iPhone, which is especially useful for creating batch scans of PDFs. The British Library did not allow tripods for photographing the data due to the precarity of the material. I digitized all 14,400 meeting minutes for the originally selected time period, 1678-1780, in this manner.

The director minutes are remarkably thorough in terms of Company decisions, correspondence, petitions, and summary statistics, which is good for reliably drawing conclusions about the EIC's overall strategy at a micro-level. However, the minutes do not feature a transcription of the meetings and thus are not as useful for drawing reliable conclusions about the nuances of debate and dissent. For more reliable inferences about internal Company politics, I tracked the votes of particularly contentious motions, written dissents from directors, and the duration of special shareholder sessions.

When revising the article to extend the data by 15 years (1781-1795) in 2021, COVID-19 travel restrictions prohibited returning to the physical archive in London. Instead, I was able to include the 2,340 additional director meetings from a newly available digitization of EIC records by a commercial data vendor, Adam Matthew (AM), and its "East India Company" digital resource (<https://www.eastindiacompany.amdigital.co.uk/>). Thus, the total number of director meetings is 16,740. The AM digital access also allowed me to include directors' correspondence with its Bengal administrators in the IOR-E series, especially before and during Hastings' impeachment trial (1780-1795). Image A3 presents Hastings' letter of resignation to the directors dated March 23, 1783, from IOR-E.4.40. I also relied on the EIC's abstracts of letters to identify relevant paragraphs. Image A4 presents a scan of abstracts of letters from Bengal in 1790, from IOR-E.4.11. Notice that the top margin reveals that the letter from Cornwallis dated December 7, 1789 was received in London on April 30, 1790. As a final note, while the AM digital resource is useful, the company quoted my institution a cost-prohibitive access charge of \$70,000 and was unable to customize an individual package. Eventually, I was able to access some of the material from a one-month free trial.

A3. Hastings' letter of resignation to the directors, March 20, 1783, (IOR-E.4.40: 363).

363

To the Honble Court of Directors
of the Honble United East India Company

Fort William 20th March 1783.

Honble Sirs

In your Letter to the Governor General and Council dated the 28th August 1782 You have been pleased to enter into a large Discussion of my Proceedings at Benaris, and to apprise the Board of certain Resolutions comprehending your Judgment upon them. These Resolutions, as the immediate Cause and subject of my present Address, I shall, to avoid the perplexity of frequent and remote Reference, hereto subjoin.

"That it appears to this Court that on the
" Death of Sujah Dowlah 1775 a Treaty
" was made with his Successor by
" which the Zemendarry of Beharis
" with its Dependencies was ceded in
" perpetuity to the East India Company.

"That it appears to this Court, that Rajah
" Cheit Sing was confirmed by the Gover-
" nor General and Council of Bengal
" in the Management of the said Zemen-
" darry (subject to the Sovereignty of the
" Company) on his paying a certain
" Tribute

A4. Abstract of Letters from Bengal, December 1789-January 1790 (IOR-B.3.4.11: 26)

Rec^d. J. Ashbridge } 25.
 30th April 1790. } Lord Cornwallis; dated 7th December 1789. —

for the transfer of the Indian debt, or to venture steps for lowering the Interest, shall then propose to raise the Exchange to 27th Current Rupee; but this cannot be done without a breach of faith, both towards the Bond and Anticipated Investors. — it will be necessary to open a ready Money Subscription for Bills on England, to be appropriated to the Payment of the Old Bonds, according to priority of date, and to open the Treasury for a Loan for new Bonds at 6th Percent. — think it highly probable, that the measure will be successful; in effecting a large reduction of the Bonded Debt. — At all events, a certain advantage would be obtained, from the amount of every Bond, paid off, by their ready Money subscriptions, remaining a year and a half without interest, and afterwards bearing an Interest of only 5 instead of 8th Percent.

8. 9. Commercial Treaty with the Royal Philippine Company. — Shall not add any Observations to those of their Board of Trade on their Petition; but recommend, that the Agreement may, at all Events, be dissolved; and that the Spaniards may be left to make their Purchases from Private Merchants, or to employ their own Agents.

10. 11. Detachment sent to Fort Marlbo; returned on the Chesterfield; highly satisfied with their treatment; — the readiness with which part of the Detachment offered to stay, for the protection of the East of Sumatra, is a proof of their not being disgusted with the Service; and the language of these Men will hold to their Companions, will tend to remove, or at least lessen their aversion to Sea Voyages. — Signed Cornwallis.

Received for }
 Fort St. George, }
 1st May 1790. }
 1st Decem^r 1790. }
 1790. }
 36 }
 51 }
 Public Letter; dated 6th January 1790. —

1. Consultations and Advices. (Duplicate of Advices J. Ashbridge transmitted; also consultations for December. —

2. Remittances to China. Proposals for only 13 Lakhs have been received. should any further offers be made they will be accepted to the extent of 20 Lakhs.

3. Mr. Taylor's Rice contracts. Copy of those for supplying 30000 Cogs to Fort St. George; and 10000 Cogs to Belliserry, sent. —

4 & 6. Remittances to Fort St. George. Proposals have been received from Mr. Taylor and accepted, to pay into the Treasury at Fort St. George 1,50,000 Pagodas, the proceeds of certain Ensignments of Rice, within the period of 6 Months from the presentment of his Bond to his Agents, with an Interest of 6 Percent on each payment from the 17th December 1789, to the time of his making it; and Bengal Certificates have been issued to him at the same Interest, and at the Exchange of 390th Rupees for 1th of the Rupee. Mr. Taylor's Proposals, and the consequent Correspondence on the Subject sent in the Packet. —

B. Analysis

The data analysis through “deskwork” was conducted over three years. A combination of document quality and old English handwriting made the images unreadable by software at the time of analysis. As a result, I analyzed the data by reading it and hand-transcribing relevant portions. I first skimmed the 14,400 director meetings, at times using indices prepared by the EIC record-keepers as a research aid. These indices, appended to the beginning of the record books, helped narrow my search for particular persons such as Clive and Hastings, institutions such as the House of Commons, as well as events such as Charter negotiations and parliamentary acts. Images B1 and B2 provide two examples post-*Diwani* from the 1767 index on “Duanny [sic] of Bengal obtained for the Company” and “House of Commons Committee appointed to support the Company’s interest there.” The indices aided in identifying the majority of director discussions related to Bombay, Madras, Bengal, Parliament, and the Crown.

B1. Index for Director Meeting Minutes, “D” (IOR-B.82)

Directors elected.	2	Dividend Motion made in Genl.	
D ^o several sworn.	4	Court for its increase & afterwards	} 87
Dudley George Esq ^r chosen Chairman	5	withdrawn	
Director forfeitures when to commence.	9	Davis Edw ^d Petition referri ^d .	93
Dunal, John & Peter Esq ^s read.	18	Dafter Eliz ^a Pension continued.	97
Duanny of Bengal obtained	} 22	Delhich Capt ⁿ Tho ^s Esq ^r read.	106
for the Company		D ^o D ^o	108
Declarations of Sale.	{ 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000	Dixey Hugh, Petition referri ^d .	109
Donation to the Navy from the Nabob of Bengal Admiral Cornish & Commodore Tinker.	} 26	Durand John Esq ^r , his Tender of the Ship Van Sittart accepted.	112
desire the Court will use their Influence for its Payment.		Duttons Owners advanced £2000.	{ 115, 122, 161, 172, 229, 3
Dispatches signid.	29	Dowton Capit ⁿ Rich ^d Esq ^r read.	127
Denar Capt ⁿ James Esq ^r read.	30	Duke of Richmonds Owners advanced.	123, 173, 161, 260
Devonshires Owners advan ^d £2000.	32	Durand John Esq ^r , Sec ^r referri ^d .	126
Dispatches approved.	41	Duttons Owners, Aug ^r referri ^d .	130
		Delhich Capit ⁿ Tho ^s Esq ^r refer ^d .	135
		Dandy Christian, Pet ⁿ referri ^d .	136

B2. Index for Director Meeting Minutes, "H" (IOR-B.82)

Hemsworth Bath appointed and Sw. ⁿ Elder Porter	} A19-A23
Hall Capt R. ^d Lre read . . .	A23
Hardyman Ann to go to her Friends	} A24
Havet Sell Letter read . . .	A39
Hornby W. ^m . Letter referred	A47
Hardyman Ann, Secu. ^y app ^d	A55
Hume David Esq ^r Lre ref ^d	A55
Hodges Sir James Proposition for agreem ^t w th Govern ^t ref ^d	} A56
Heatfield Tho ^s	Req ^t ref ^d A62
Harcourt's Owners add ⁿ on acc ^t	A64
How Eliz th Pet ⁿ ref ^d	A65
Hook Capt. ⁿ Benj take Oath and Leave	} A65
House of Commons Committee appointed to support the Comp ^y . Interest there	} A67
Hammond J ^d	Lre ref ^d A76
Holt Rich ^d	for £65 Gratuity A85

To further narrow the analysis, I singled out special sessions for Company shareholders. The Company's shareholders met in quarterly special sessions in March, June, September, and December. The directors could call additional special sessions for discussions related to charters or stock. Company bylaws required that all charters and policy changes had to be approved by the shareholders. In the original data collection, there were 812 special sessions between 1678 and 1780, of which 212 were for elections and 600 were non-election special sessions. Any major charter or other sovereign negotiations should then be in these 600 special sessions. I read these 600 special sessions meeting minutes fully without the aid of an index.

I adopted a primarily inductive approach to coding where the identification of key episodes in Company sovereignty emerged from engagement with the research material. The exception to this strategy was focusing on key charter renewals and regulation that concerned the delegation of sovereign privilege to the Company. As such, I made a pre-determined choice to examine the director minutes more closely in the months preceding charter renewals during the selected time period in 1683, 1686, 1726, 1728, 1753, 1758, and 1761, the additional regulatory oversights in 1773 and 1784, and the Hastings' impeachment inquiry in 1786 and the 1788 trial. As noted in Section C, these event-guided searches did not always yield the rich discussions of sovereignty as the more inductive approach.

To operationalize company sovereignty, I did not only pay attention to mentions of "sovereign" or "sovereignty" since the use of these terms was not well established during this period. Instead, I used two strategies. First, reading the smaller set of 600 special shareholder sessions provided a comprehensive look at charter negotiations, which in the late-1700s became more assertive about the Company's sovereign status. From this analysis, it emerged that EIC directors used "rights" broadly to make legal claims about their jurisdiction and sovereign status. Second, I then scanned for mentions and votes around "rights" in the larger set of director meetings. Figure 1 in the article compiles discussions in the director minutes based on this expanded notion of sovereign rights. Discussion related to agenda items in the minutes per meeting session. Sometimes directors met twice a day in a director session and a shareholder session. I counted these as separate discussions. I used a similar inductive operationalization in the correspondence from EIC administrators who were more likely to use "authority" to talk about their sovereign dilemmas with Asian and European powers in India. In short, there was no one clear way to operationalize Company sovereignty during this period, much less only look for the language of "sovereignty." Instead, I paid attention to mentions of Company rights and authority in the records.

C. Additional Context on Hastings' Impeachment

The director meeting minutes do not feature much deliberation or major decisions related to Company strategy during Hastings' impeachment trial. Before the trial began in February 1788, Burke and the impeachment managers extensively investigated Company records. Perceiving that the Company was not being forthright, in April 1787, Burke showed up to India House and demanded access to the records in person.¹ The only mentions of the impeachment proceedings were the requests for records from Burke² and Hastings' attorney,³ and the directors' request for copies of the parliamentary proceedings.⁴ In January 1788, the directors discussed the latest orders from the impeachment managers, especially concerning papers of the Secret Committee. They resolved not to give up records related to the Secret Committee to the impeachment managers, citing the 1784 Parliamentary Act.⁵ Throughout the trial, both the impeachment managers and Hastings' defense continued asking for Company records and access to its employees as witnesses.⁶

The directors did not comment on the impeachment proceedings in their minutes apart from noting their compliance with record requests from the impeachment managers and allowing their employees to serve as witnesses for the trial. There are four possible reasons why. First, Hastings had already resigned and returned to England a year prior to the impeachment proceedings in 1786. Second, the impeachment managers and the Board of Control had access to the directors' minutes, so it is possible the directors did not maintain records of any defense strategy. Third, many directors and shareholders also sat in the House of Lords, which made acquittal likely. Burke had anticipated as much. Fourth, the Company was now used to negotiating the terms of its administration in India during two high-profile regulations. While in hindsight the impeachment trial and Burke's views on the EIC's corporate-empire marked a turning point for English sovereignty, as Dirks (2008) covers extensively in his monograph, the fact that the Company did not even retain legal counsel until the trial began suggests that the directors downplayed the impeachment implications.

After Hastings was acquitted in 1795, the directors spoke for the first time on the impeachment in the minutes: "The acts for which Mr. Hastings was impeached were the public acts of the Company's Government, and now appear by the acquitting judgment to have been acts vindicated by his obligation of service to his matters."⁷ As the trial created a financial crisis for Hastings, the directors unanimously resolved to indemnify Hastings by covering his legal expenses

¹ IOR-B.104: 1145-46.

² IOR-B.105: 12-13, 23, 32, 52, 637, 736, 759, 1026, 1034, 1073, 1084, 1098; IOR-B.106: 655, 672, 736-7, 760, 789, 816, 838, 852, 858, 877, 912-3, 938-9, 979, 977-8, 988.

³ IOR-B.105: 138, 156, 571.

⁴ IOR-B.105: 380.

⁵ IOR-B.106: 884.

⁶ IOR-B.106: 1070-4, 1205, 1230, 1239; IOR-B.107: 77, 83, 100, 138, 150; IOR-B.108: 940, 1030, 1051, 1127, 1161; IOR-B.109: 58, 252, 326, 386-7; IOR-B.110: 1069-1071; IOR-B.111: 36, 50-1, 146l; IOR-B.112: 888, 911, 934-5; IOR-B.113: 107, 129; IOR-B.114: 892-3, 918, 998; IOR-B.116: 892, 945, 957, 978, 1151; IOR-B.117: 126-7, 173, 188, 230; IOR-B.118: 711, 733.

⁷ IOR.D-254: 20.

and offer him an annual pension of £5,000 due to his “long, faithful, and important service.”⁸ Ultimately, the Board of Control allowed Hastings an annual pension of £4,000 retroactive from 1785 and no indemnification.⁹

⁸ IOR-B.262: 104.

⁹ IOR-B.262: 172.